

REMARKS

The Office Action mailed on August 18, 2005 has been carefully considered. Accordingly, the changes presented herewith, taken with following remarks, are believed sufficient to place the present application in condition for allowance. Reconsideration is respectfully solicited.

Claims 23-27 and 32-61 are currently pending in the instant application. Applicants gratefully acknowledge allowance of claims 23-27. Applicants also gratefully acknowledge the Examiner's finding that Applicants' invention as recited in claims 33, 35-44, 46, 49-58, and 61 would be allowable if rewritten into independent form. Accordingly, claims 33, 35, 37, 41, and 42 and have been amended into independent form, incorporating the limitations of claim 32 therein. Claims 49, 51, 55-56, and 61 have also been amended into independent form, incorporating the limitations of claim 47 therein.

Claims 32, 34, 45, 47-48, and 59-60 stand rejected under 35 U.S.C. § 102(b) as being anticipated by USPN 5,152,789 ("Willis"). Applicants traverse this rejection; however, in an effort to advance the present case, claims 32, 34, 45, 47-48, and 59-60 are cancelled without prejudice. Applicants reserve the right to pursue these claims in a continuation or divisional application.

In reviewing the pending claims, which were submitted in Applicants' response mailed on November 18, 2005, several inadvertent informalities were noted that have been corrected by amendment of the instant claim set. These amendments were not precipitated by any prior art references of record and were made only for the purpose of addressing the inadvertent informalities discussed herein. Specifically, claim 53 has been amended to depend from claim 51 in order to provide a proper antecedent basis and claim 58 has been amended to depend from claim 57 for similar reasons. Also, claim 32 of Applicants' response of November 18, 2005 recited a "circular rim" surrounding the optic and spaced apart therefrom. Claim 32 was clearly meant to recite an "outer ring", as supported by the observations that (1) the term "outer ring" has been consistently used in the instant and previous versions of claims submitted during examination, (2) claims 35 and 42 of Applicants' response of November 18, 2005 recite an "outer ring", which claims depended from claim 32, and (3) the structural limitations in claim 32 of this element are consistent with the use of the term "outer ring" in the specification of the instant application and are not, at least in part, consistent with the use of the term "circular rim", as used in the specification.

Accordingly, incorporation of claim 32 into claims 33, 35, 37, 41, and 42 has been made using the claim element "outer ring" instead of "circular rim". No new matter has been introduced by the amendments to claims 33, 35, 37, 41, and 42 and the scope thereof is neither narrowed nor

broadened by this correction. It is, therefore, believed that no new issues of patentability have been raised by these amendments and that claims 33, 35, 37, 41, and 42 are, therefore, ready for allowance. Should the Examiner disagree with these assertions, Applicants respectfully request that the Examiner contact the undersigned representative to discuss further.

For the foregoing reasons, Applicants respectfully assert that claims 23-27, 33, 35-44, 46, 49-58, and 61 are allowable over the prior art. Therefore, Applicants earnestly seek a notice of allowance and prompt issuance of this application.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication to Deposit Account No. 502317.

Respectfully submitted,
Advanced Medical Optics

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